

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26798-2016

Date of decision : 12.01.2017

Jeet Singh @ Surjeet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.P.S.Ghuman, Advocate,
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab,
for the respondent-State.

Ms. Amarjit Kaur, Advocate,
for respondent Nos.3 to 7.

JITENDRA CHAUHAN, J. (Oral)

The instant petition under Section 482 of the Code of Criminal Procedure (for short, Cr.P.C.) has been filed, inter alia, seeking direction to respondent Nos.9 to 11 to conduct themselves as per the provisions of law and not to restrain the petitioner from cultivating his land.

Learned counsel for the petitioner refers to judgment and decree dated 18.11.2015 (Annexure P-1) passed by the learned Civil Judge (Junior Division), Samana, whereby suit of the petitioner/plaintiff has been decreed and defendant/Gram Panchayat of Village Paind has been restrained from interfering in his peaceful possession of the suit property, except in due course of law. It is contended that despite the trial Court decree in favour of the petitioner/plaintiff, respondent Nos.3 to 8 have been pressurizing the petitioner to leave the possession of the shamlat land. The petitioner has

also offered to deposit the lease money/chakota of his land, as per Government rates but respondent Nos.3 to 8 have not accepted the same.

On the other hand, learned State Counsel states that the respondents have neither threatened the petitioner to deposit the lease money/chakota with the panchayat nor restrained him from entering into the suit land under his possession. Rather, the Sarpanch of the Gram Panchayat was advised to proceed against the petitioner, as per law. It is further submitted that a letter dated 20.07.2016 (Annexure R-1) was received in the office of the Station House Officer, Police Station Shutrana from the office of Block Development and Panchayat Officer, Patran (Patiala) with the request to take action against the petitioner and restrain him from illegally taking possession over the land of Gram Panchayat. On the basis of the said application, the petitioner was called to the Police Station, who brought to the notice of the police officials the judgment and decree dated 18.11.2015 (Annexure P-1) passed by the learned trial Court and hence, the Sarpanch of Village Paind was advised not to take law in his own hand and take legal action to evict the petitioner from the land in question, as per law.

I have heard learned counsel for the parties.

In the instant case, the main grouse of the petitioner is that the authorities have been trying to evict him from the land in question inspite of a civil court decree in his favour. From the reply filed on behalf of the respondent-State, it is evident that after coming to know about the decree in question the police authorities have advised the Gram Panchayat to evict the petitioner by following due course of law.

In this view of the matter, this Court feels that the main grouse

of the petitioner stands redressed and, therefore, no further orders are required to be passed in the matter.

Dismissed.

12.01.2017
adhikari

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :Yes No

Whether Reportable : Yes No